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**BEFORE THE  
PHYSICAL THERAPY BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 1D 2001 62888

**DAVID MOORE SANBORN**  
P.O. Box 603  
Hartford, VT 05047

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

License No. AT 2940

Respondent.

**IT IS HEREBY STIPULATED AND AGREED** by and between the parties in  
this proceeding that the following matters are true:

**PARTIES**

1. Steven K. Hartzell (Complainant) is the Executive Officer of the Physical  
Therapy Board of California. He brought this action solely in his official capacity and is  
represented in this matter by Bill Lockyer, Attorney General of the State of California, by Gail  
M. Heppell, Supervising Deputy Attorney General.

2. David Moore Sanborn (Respondent) is representing himself in this  
proceeding and has chosen not to exercise his right to be represented by counsel.

3. On or about December 9, 1992, the Physical Therapy Board of California  
(Board) issued License Number AT 2940 to David Moore Sanborn (Respondent).

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**JURISDICTION**

4. Accusation No. 1D 2001 62888 was filed before the Physical Therapy Board of California, and is currently pending against Respondent. The Accusation, together with all other statutorily required documents were properly served on Respondent on August 23, 2002, and Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 1D 2001 62888 is attached as exhibit A and incorporated herein by reference.

**ADVISEMENT AND WAIVERS**

5. Respondent has carefully read and understands the charges and allegations in Accusation No. 1D 2001 62888. Respondent also has carefully read and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

**CULPABILITY**

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 1D 2001 62888, agrees that cause exists for discipline and hereby surrenders his Physical Therapy License Number AT 2940 for the Board's formal acceptance.

9. Respondent understands that by signing this stipulation he enables the Board to issue its order accepting the surrender of his physical therapy license without further process.

**RESERVATION**

10. The admissions made by Respondent herein are only for the purposes of

1 this proceeding, or any other proceedings in which the Physical Therapy Board of California or  
2 other professional licensing agency is involved, and shall not be admissible in any other criminal  
3 or civil proceeding.

#### 4 CONTINGENCY

5 11. This stipulation shall be subject to approval by the Board. Respondent  
6 understands and agrees that the Physical Therapy Board of California's staff and counsel for  
7 Complainant may communicate directly with the Board regarding this stipulation and settlement,  
8 without notice to or participation by Respondent or his counsel. By signing the stipulation,  
9 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind  
10 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt  
11 this stipulation as its Decision and Order, the Stipulated Surrender of License and Order shall be  
12 of no force or effect, except for this paragraph, it shall be inadmissible in any legal action  
13 between the parties, and the Board shall not be disqualified from further action by having  
14 considered this matter.

15 12. The parties understand and agree that facsimile copies of this Stipulated  
16 Surrender of License and Order, including facsimile signatures thereto, shall have the same force  
17 and effect as the originals.

18 13. In consideration of the foregoing admissions and stipulations, the parties  
19 agree that the Board may, without further notice or formal proceeding, issue and enter the  
20 following Order:

#### 21 ORDER

22 **IT IS HEREBY ORDERED** that License No. AT 2940 issued to Respondent  
23 David Moore Sanborn is surrendered and accepted by the Physical Therapy Board of California.

24 14. Respondent shall lose all rights and privileges as a physical therapist in  
25 California as of the effective date of the Board's Decision and Order.

26 15. Respondent shall cause to be delivered to the Board both his license and  
27 wallet certificate on or before the effective date of the Decision and Order.

28 16. Respondent understands and agrees that if he ever applies for licensure or

1 petitions for reinstatement in the State of California, the Board shall treat it as a new application  
2 for licensure. Respondent must comply with all the laws, regulations and procedures for  
3 licensure in effect at the time the application or petition is filed, and all of the charges and  
4 allegations contained in Accusation No. 1D 2001 62888 will be deemed to be true, correct and  
5 admitted by Respondent when the Board determines whether to grant or deny the application or  
6 petition.

7 **ACCEPTANCE**

8 I have carefully read the above Stipulated Surrender of License and Order. I  
9 understand the stipulation and the effect it will have on my physical therapy license. I enter into  
10 this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and  
11 agree to be bound by the Decision and Order of the Physical Therapy Board of California.

12 DATED: October 2, 2003

13  
14 Original Signed By:  
15 DAVID MOORE SANBORN  
Respondent

16 **ENDORSEMENT**

17 The foregoing Stipulated Surrender of License and Order is hereby respectfully  
18 submitted for consideration by the Physical Therapy Board of California.

19 DATED: October 22, 2003

20 BILL LOCKYER, Attorney General  
21 of the State of California

22 Original Signed By:  
23 GAIL M. HEPPELL  
Supervising Deputy Attorney General

24 Attorneys for Complainant  
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**BEFORE THE  
PHYSICAL THERAPY BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

DAVID MOORE SANBORN,

Respondent.

Case No. 1D 2001 62888

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Physical Therapy Board of California as its Decision in this matter.

This Decision shall become effective on December 12, 2003.

It is so ORDERED November 12, 2003.

Original signature on file  
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FOR THE PHYSICAL THERAPY BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
Ellen Wilson, P.T., President

**Exhibit A**

**Accusation No. 1D 2001 62888**